
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

CLYDE D. EVANS,

Plaintiff,

versus

UNITED STATES OF AMERICA,

Defendant.

§
§
§
§
§
§
§
§

CIVIL ACTION NO. 1:09-CV-853

**MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Clyde D. Evans, an inmate confined at the Federal Correctional Institution at Edgefield, South Carolina, proceeding *pro se*, filed the above-styled lawsuit against the United States of America pursuant to the Federal Tort Claims Act.

The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning this matter. The magistrate judge recommends that a motion for summary judgment filed by the defendant be granted.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections were filed to the Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. The defendant's motion for summary judgment is **GRANTED**. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 4th day of May, 2016.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE